

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JEREMIAH BEYER, on his own behalf and on)
behalf of others similarly situated,)
)
Plaintiff,)
)
v.) No. 3:18-CV-139
)
FARIS PROPERTIES, LLC,)
)
Defendant.)

ORDER

This matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated October 22, 2018, [Doc. 41]. In that Report and Recommendation, the Magistrate Judge recommends that plaintiff's motion to strike, [Doc. 23] be denied, and that defendant's motion for leave to amend defendant's answer to plaintiff's complaint, [Doc. 26], be granted. Neither party has filed objections to the recommendation in the time allowed. *See* Fed. R. Civ. P. 72.

Thus, after consideration of the record as a whole and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation which are incorporated by reference herein, it is hereby ORDERED that this Report and Recommendation is ADOPTED and APPROVED, [Doc. 41], that the plaintiff's motion to strike, [Doc. 23] is DENIED and the defendant's motion for leave to amend defendant's answer to plaintiff's complaint, [Doc. 26], is GRANTED. The defendant shall be granted leave to amend its answer to remove the phrase "demands strict proof thereof" and to remove Affirmative Defense No. 5. [Doc. 41 at 6]; *see* [Doc. 26-3].

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE
